

Remarks

In response to the Office Action dated June 14, 2006 (hereinafter, the "Action"), Applicant respectfully requests reconsideration based on the following remarks.

A review of the claims indicates that:

Claims 28-44 were previously pending.

Claims 28, 31, and 33-35 have been amended.

Claims 45-48 are new claims.

Claims 28-48 are currently pending in this application, with claims 28 and 31 being independent.

Applicant respectfully submits that the claims as presented are in condition for allowance.

Rejections under 35 U.S.C. §103(a)

Claims 28-30 and 36-38

The Office rejects claims 28-30 and 36-38 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5, 276,731 to Arbel, et al (hereinafter, "Arbel") in view of U.S. Patent No. 6,718,026 to Pershan et al (hereinafter, "Pershan"), further in view of U.S. Patent No. 5,946,386 to Rogers et al (hereinafter, "Rogers"). The Applicant respectfully traverses these rejections.

Turning to **independent claim 28**, solely to advance the prosecution of this application and without conceding the propriety of the stated rejections, the Applicant has amended claim 28 to clarify additional features of the selective call forwarding system. For convenience, the Applicant reproduces claim 28, including the above revisions:

A selective call forwarding system, including:

“a telephone system configured to receive at least one call made from one of a plurality of preferred caller telephone numbers to a subscriber telephone number, and to selectively forward the call to a one of a plurality of forwarding telephone numbers associated with the subscriber telephone number, wherein the plurality of preferred caller telephone numbers are exclusively forwarded to one or more of the forwarding telephone numbers, and wherein the telephone system is further configured to provide an indication, to a caller placing the call, that the call is being forwarded to the forwarding telephone number; and

a programmable telephone number table containing at least the subscriber telephone number, the plurality of forwarding telephone numbers associated with the subscriber telephone number, and the plurality of preferred caller telephone numbers, wherein the programmable telephone number table is in communication with the telephone system and can be edited by a user of the system via a website.”

The above revisions are believed fully supported under 35 U.S.C. §112, 1st paragraph, at least by the Applicant's description in Paragraph [0004], [0049], Fig. 3 and Fig. 4.

Turning to the cited art, the Arbel patent pertains generally to a method and apparatus for handling incoming telephone calls. The handling of incoming telephone calls includes delivering predetermined messages to predetermined calling parties; prioritized screening of incoming telephone calls; and re-routing incoming telephone

calls on the basis of predetermined selection criteria (Abstract). Without conceding that Arbel provides the teaching for which it is cited in the Action, the Applicant submits that Arbel neither teaches nor suggests "...to selectively forward the call to a one of a plurality of forwarding telephone numbers associated with the subscriber telephone number, wherein the plurality of preferred caller telephone numbers are exclusively forwarded to one or more of the forwarding telephone numbers," as recited in amended claim 28. Applicant's claim 28 recites that only preferred caller telephone numbers, listed in the programmable telephone number table, are forwarded to a forwarding telephone number associated with the subscriber telephone number. If the caller telephone number is not listed on the programmable telephone number table, it is not a preferred caller telephone number, the call is not forwarded, and the call is processed normally (Specification, [0049]). The preferred caller telephone numbers are entered into the table by the subscriber (Specification, [0004]). Calls that are placed to the subscriber telephone number by caller telephone numbers that are not preferred numbers proceed in a normal fashion, such as by connecting to voicemail if the call is not answered (Specification, [0049]). Arbel does not teach or suggest "...wherein the plurality of preferred caller telephone numbers are exclusively forwarded to one or more of the forwarding telephone numbers," as in Applicant's claim 28.

Because Arbel does not teach or suggest each element of the method of Applicant's claim 28, Applicant respectfully submits that claim 28 is not obvious over Arbel.

In addition to providing the above comments regarding Arbel, the Applicant agrees with the Office that Arbel does “not teach that the programmable telephone number table can be edited by a user of the system via a website” (Action, pg. 3). The Office relies on Pershan for this feature. Turning to Pershan in more detail, the Pershan patent pertains generally to call forwarding methods and apparatus utilizing AIN techniques and next event list messages (Abstract). Call forwarding subscribers may set the number of rings allowed to occur prior to a call being forwarded and are provided with a distinctive ring to notify them that a call is being forwarded (Abstract).

Without conceding that Pershan provides the teaching for which it is cited in the Action, the Applicant submits that Pershan neither teaches nor suggests a “telephone system ... to selectively forward the call to a one of a plurality of forwarding telephone numbers associated with the subscriber telephone number, wherein the plurality of preferred caller telephone numbers are exclusively forwarded to one or more of the forwarding telephone numbers,” as recited in Applicant’s amended claim 28. As such, Pershan fails to provide the teaching missing in Arbel, and therefore does not support a §103 rejection of claim 28.

In addition to the comments directed above to Arbel and Pershan, the Applicant agrees with the Office’s assessment on Page 4 that neither Arbel nor Pershan teach “providing an indication to a caller placing the call that the call is being forwarded to the forwarding telephone numbers” (Action, pg. 4). Thus, the Office cites Rogers for this feature. Turning to Rogers in more detail, the Rogers patent pertains generally to a call

management system with call control from user workstation computers via a digital data network (Abstract). The call management system intercepts calls and controls the handling of the calls according to provided instructions at user workstations (Abstract).

Without conceding that Rogers provides the teaching for which it is cited in the Action, the Applicant submits that Rogers neither teaches nor suggests a “telephone system ... to selectively forward the call to a one of a plurality of forwarding telephone numbers associated with the subscriber telephone number, wherein the plurality of preferred caller telephone numbers are exclusively forwarded to one or more of the forwarding telephone numbers,” as recited in Applicant’s amended claim 28. Therefore, Rogers fails to provide the teaching missing in Arbel and Pershan and therefore does not support a §103 rejection of claim 28.

Based on at least the foregoing, the Applicant submits that Arbel, Pershan, and Rogers, whether considered severally or in combination, do not support a §103 rejection of claim 28. The Applicant thus requests reconsideration and withdrawal of the §103 rejection of claim 28.

Claims 29, 30 and 36-38 depend from claim 28, and stand rejected on similar grounds. Therefore, the above comments directed to claim 28 apply equally to claims 29, 30 and 36-38.

Claims 31, 33-35, and 39-44

The Office rejects claims 31, 33-35, and 39-44 under 35 U.S.C. §103(a) as being unpatentable over Arbel in view of Rogers. The Applicant respectfully traverses these rejections.

Turning to **independent claim 31**, solely to advance the prosecution of this application, and without conceding the propriety of the stated rejections, the Applicant has amended claim 31 to clarify additional features of the method. For convenience, the Applicant reproduces portions of claim 31, including the above revisions:

“...receiving a first call made to a subscriber telephone number from a first caller telephone number;

determining whether the first caller telephone number is one of a plurality of preferred caller telephone numbers associated with the subscriber telephone number;

if the first caller telephone number is one of a plurality of preferred caller telephone numbers, forwarding the first call to a first forwarding telephone number;

...receiving at least a second call made to the subscriber telephone number from at least a second caller telephone number;

determining whether the second caller telephone number is one of the plurality of preferred caller telephone numbers associated with the subscriber telephone number;

if the second caller telephone number is one of a plurality of preferred caller telephone numbers, forwarding the second call to a second forwarding telephone number;

wherein if the first caller telephone number is not a preferred caller telephone number, the first call is processed normally without forwarding the first call to the first forwarding telephone number;

and wherein if the second caller telephone number is not a preferred caller telephone number, the second call is processed normally without forwarding the second call to the second forwarding telephone number.

The above revisions are believed fully supported under 35 U.S.C. §112, 1st paragraph, at least by the Applicant's description in Paragraph [0004], [0049], Fig.3 and Fig. 4.

Turning to the cited art, the Arbel patent pertains generally to a method and apparatus for handling incoming telephone calls. The handling of incoming telephone calls includes delivering predetermined messages to predetermined calling parties; prioritized screening of incoming telephone calls; and re-routing incoming telephone calls on the basis of predetermined selection criteria (Abstract). Without conceding that Arbel provides the teaching for which it is cited in the Action, the Applicant submits that Arbel does not teach "determining whether the first caller telephone number is one of a plurality of preferred caller telephone numbers associated with the subscriber telephone number," and "wherein if the first caller telephone number is not a preferred caller telephone number, the first call is processed normally without forwarding the first call to the first forwarding telephone number," as recited in amended claim 31. For similar reasons as described above for claim 28, Arbel does not support a §103 rejection of Applicant's claim 31.

Turning to Arbel, the Applicant reproduces here for convenience column 9, line 57 through column 10, line 10:

The following examples illustrate the manner in which a database associated with such an embodiment of the present invention is configured. In a first example, assume that Dr. Warner of Fine Valley Hospital will be taking a sabbatical this summer. There are three other doctors who will be taking his patients during his absence: (a) Dr. Hubbard at 453-7668; (b) Dr. Tyler at 678-3939; and (c) Dr. Martin at 222-3333. Dr. Warner divides up his patients among the three doctors and sets up a selective call re-routing entry in the database as follows.

10, 151

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	Incoming Call:		Transfer to:
	Name	Number	Target
5	Donna Sage	454-9557	453-7668
	Palmer Courtlandt	250-9596	453-7668
	Brooke English	467-2839	222-3333
	Tom Cudahy	785-2390	678-3939
	Travis Montgomery	326-1928	678-3939
	Phoebe Wallingford	454-1029	222-3333

10

The scheme described in Arbel for transferring incoming calls from patients to a variety of doctors neither teaches nor suggests the above features of claim 31. Thus, for similar reasons as described above for claim 28, Arbel does not support a §103 rejection of Applicant's claim 31. Because Arbel does not teach or suggest each element of the method of Applicant's claim 31, Applicant respectfully submits that claim 31 is not obvious over Arbel.

In addition to the comments directed above to Arbel, the Applicant agrees with the Office's assessment on page 6 of the Action that Arbel lacks "providing an indication to a

caller placing the call that the call is being forwarded to the forwarding telephone numbers.” Thus, the Office cites Rogers for the feature (Action, pgs. 6 and 7). The Rogers patent pertains generally to a call management system with call control from user workstation computers via a digital data network (*Rogers*, Abstract). The call management system intercepts calls and controls the handling of the calls according to provided instructions at user workstations (*Rogers*, Abstract).

Without conceding that Rogers provides the teaching for which it is cited in the Action, the Applicant submits that Rogers neither teaches nor suggests “...determining whether the first caller telephone number is one of a plurality of preferred caller telephone numbers associated with the subscriber telephone number,” and “wherein if the first caller telephone number is not a preferred caller telephone number, no forwarding of the first call to a first forwarding telephone number occurs,” as recited in Applicant’s amended claim 31. As such, Rogers fails to provide the teaching missing in Arbel and therefore does not support a §103 rejection of claim 31.

Based on at least the foregoing, the Applicant submits that Arbel and Rogers, whether considered severally or in combination, do not support a §103 rejection of claim 31. The Applicant thus requests reconsideration and withdrawal of the §103 rejection of claim 31.

Claims 33-35 and 39-44 depend from claim 31, and stand rejected on similar grounds. Therefore, the above comments directed to claim 31 apply equally to claims 33-35 and 39-44.

Claim 32

The Office rejects claim 32 under 35 U.S.C. §103(a) as being unpatentable over Arbel in view of Rogers further in view of U.S. Patent No. 5,963,864 to O'Neil, et al. (hereinafter "O'Neil"). The Applicant respectfully traverses this rejection.


Claim 32 depends from independent claim 31, discussed above. Therefore, all of the above comments directed to claim 31 apply equally to claim 32.

Conclusion

The Applicant submits that the claims in this application are now in condition for allowance. Applicant respectfully requests that a Notice of Allowability be issued. If there are any outstanding issues that would prevent favorable action on this application, Applicant respectfully requests that the undersigned attorney be contacted for the purpose of scheduling an interview.

Respectfully submitted,

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